

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TONY B. GASKINS

CIVIL ACTION NO. 05-CV-10858-GAO

Plaintiff,

vs.

UMASS CORRECTIONAL
HEALTH SERVICES, ET AL.

Defendants.

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO STAY
PROCEEDINGS ON DEFENDANTS' MOTION TO DISMISS AND/OR MOTION
FOR SUMMARY JUDGMENT, AND TO PERMIT DISCOVERY BY PLAINTIFF**

Defendants Nolan, Mitchell and Martin, through counsel, hereby oppose plaintiff's Motion to Stay Proceedings on Defendants' Motion to Dismiss and/or Motion for Summary Judgment, and to Permit Discovery by Plaintiff.

As grounds therefore, counsel for said defendants states that any discovery would be premature as the issues in this case may be significantly narrowed by the resolution of the pending Motion to Dismiss and/or Motion for Summary Judgment. In addition, it would be unfair and unduly burdensome to permit plaintiff to conduct discovery in a case where defendants have moved to dismiss.

Wherefore, Defendants request that the Court DENY plaintiff's Motion.

Respectfully submitted,

NANCY ANKERS WHITE
Special Assistant Attorney General

/s/ Jody T. Adams

DATED: August 15, 2005

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CERTIFICATE OF SERVICE

I hereby state under the pains and penalties of perjury that I did this day serve a photocopy of the above document upon the plaintiff (pro se) via first class mail.

Date: 8/15/2005

/s/ Jody T. Adams

Jody T. Adams